

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	International Application No.: PCT/EP99/01423
Jean-Louis Ruelle	:	I.A. Filing Date: 22 February 2000
Serial No.: 09/914,222	:	Priority Date: 24 February 1999
For: Haemophilus Antigen	:	

Commissioner for Patents
Box PCT
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the communication from the Patent Office mailed 07 February 2002, entitled "Notification of Defective Response, enclosed is the substitute computer readable form (CR)F of the Sequence Listing, plus the duplicate copy of the Notification of Defective Response form.

Please charge any fees, if any, associated with this filing to Deposit Account No. 50-0258.

STATEMENT

Applicant hereby states that the enclosed CRF diskette submitted herewith is identical to the paper copy of the "Sequence Listing" contained in the copy of International Publication No. WO 00/50599 which was submitted on August 23, 2001 for filing with the US Patent Office and contains no new matter.

Respectfully submitted,



Teresa O. Bittenbender
Registration No. 47,425
Attorney for Applicant

DECHERT
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103-2793
Fax: (215) 994-2222
Attn: Teresa O. Bittenbender
(215) 994-2213

Docket No. BM45376
Serial No. 09/914,222

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231.


Susan C. Sheehan

2-20-02
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,222	Jean-Louis Ruelle	BM45376

INTERNATIONAL APPLICATION NO.	
PCT/EP00/01423	
LA. FILING DATE	PRIORITY DATE
02/22/2000	02/24/1999

Allen Bloom
 Dechert
 PO Box 5218
 Princeton, NJ 08543-5218

CONFIRMATION NO. 2015

371 FORMALITIES LETTER



OC000000007432545

Date Mailed: 02/07/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

 RECEIVED
 FEB 15 2002

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

■ **APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

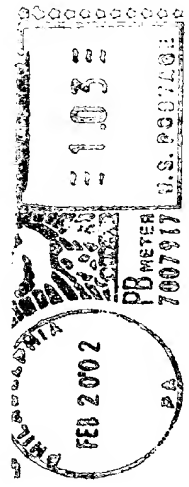
*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

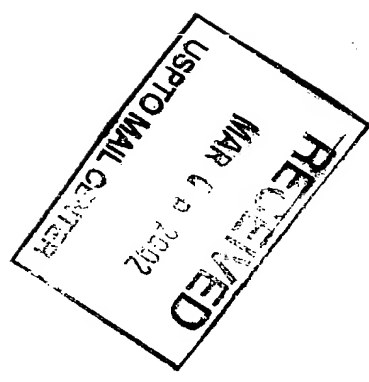
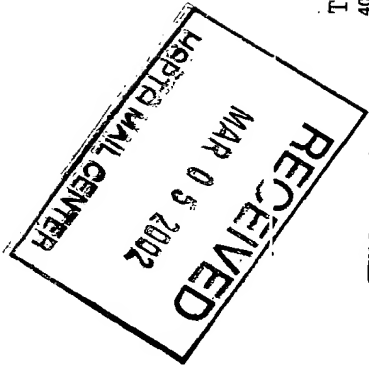
PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,222	PCT/EP00/01423	BM45376



Teresa O. Bittenbender, Esquire
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103-2793

Commissioner for Patents
Box PCT
Washington, DC 20231



RECEIVED
MAR -9 2002
PCT INTERNATIONAL PROCESSING

09/94222

PC/109

re-run

TECHNOLOGY
SYSTEMS
BRANCH



CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/914,222
Filing Date: 12/27/2001
Date Processed by STIC: 1/24/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)
☐ Blank (no files on CRF) (see attached)
☐ Empty file (filename present, but no bytes in file) (see attached)
☐ Virus-infected. Virus name: _____ The STIC will not process the CRF.
☐ Not saved in ASCII text
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.
☐ Did not contain a Sequence Listing. (see attached sample)
☐ Other: _____

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.
SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebs/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

09/9/4, 222 2

Microsoft(R) Windows 98

(C) Copyright Microsoft Corp 1981-1998:

C:\WINDOWS>A:

General failure reading drive A
Abort, Retry, Fail?F

General failure reading drive A
Abort, Retry, Fail?F
Current drive is no longer valid>

← Onscreen message
when STIC PC tried to
read submitted disk